

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ELISABETH KIMMEL,

Defendant.

Case No. 1:19-cr-10080-NMG-13

**DEFENDANT ELISABETH KIMMEL’S ASSENTED-TO MOTION FOR LEAVE TO  
FILE DECLARATION *EX PARTE* AND UNDER SEAL**

Defendants Elisabeth Kimmel, with the assent of the government, respectfully moves for leave to file *ex parte* and under seal a declaration in support of the Motion to Continue April 2021 Trial filed on behalf of Gregory Colburn, Amy Colburn, I-Hsin Chen, Elisabeth Kimmel, and Marci Palatella (the “Motion to Continue”) (ECF No. 1697).

As grounds for this motion, Defendant Elisabeth Kimmel states that the declaration in support of the Motion to Continue contains confidential health information. This declaration will provide the Court with additional information that bears upon the Court’s consideration of the Motion to Continue.

**WHEREFORE**, Mrs. Kimmel respectfully requests that her motion to file under seal and *ex parte* a declaration in support of the Motion to Continue be GRANTED.

Respectfully submitted,

/s/ Eóin P. Beirne

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*Counsel for Elisabeth Kimmel*

Date: January 27, 2021

**RULE 7.1 CERTIFICATION**

Undersigned counsel certifies that, on January 26, 2021, counsel for Mrs. Kimmel conferred with counsel for the government, and the government assents to this Motion.

**CERTIFICATE OF SERVICE**

I, Eóin P. Beirne, hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the NEF, and paper copies will be sent to those indicated as non-registered participants on January 27, 2021.

/s/ Eóin P. Beirne

Eóin P. Beirne (BBO # 660885)